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U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CASE E. McCALLA,

Defendant.

No. **1:10-cr-105**

Hon. **Robert J. Jonker**  
**U.S. District Judge**

**FELONY INFORMATION**

Donald A. Davis, United States Attorney for the Western District of Michigan, charges:

At all times relevant to this Felony Information:

1. Fifth Third Bank was a financial institution insured by the Federal Deposit Insurance Corporation.

2. Case E. McCalla ("McCalla") was employed by Fifth Third Bank from November 29, 1999 through August 16, 2004. In February 2002, he was promoted to the position of Lending Officer for the Business Development Group - Lakeshore Region, with offices in Norton Shores, Muskegon County, Michigan.

3. Beginning on an unknown date, but at least as early as January 2003 and continuing to the date of the termination of his employment in August 2004, the Defendant engaged in a pattern of deceiving Fifth Third Bank with respect to commercial loan applications processed by him, by overvaluing collateral, understating debts, altering documents, and forging signatures in order to facilitate the approval of mortgages, loans, and lines of credit which did not meet the requirements, or guarantee the security of Fifth Third Bank. These activities of the Defendant breached the fiduciary duty owed by him to his employer.

As part of, and in furtherance of, the above-described pattern of activity, the Defendant engaged in the following conduct:

COUNT 1

On or about October 3, 2003, in Muskegon County, in the Southern Division of the Western District of Michigan,

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knowingly made a false statement or report, and willfully overvalued land, property, or security, for the purpose of influencing the action of Fifth Third Bank, an institution whose accounts are insured by the Federal Deposit Insurance Corporation, upon an application for an extension of credit for a \$600,000 mortgage, a \$650,000 loan, and a \$725,000 line of credit to West Michigan Power, in that he then and there submitted to Fifth Third Bank a misleading Request for Credit Commitment form, also known as a blue memo, recommending approval of the \$1,975,000 extension of credit to West Michigan Power, which contained false and fraudulent attachments, including a Continuing Guarantee Agreement which contained the forged signature of the debtor and an altered copy of an insurance policy which misrepresented that West Michigan Power had flood insurance, as well as inflated and inaccurate figures concerning the collateral value of property, furniture and fixtures, and accounts receivable. As a result of these false documents and statements, the extension of credit request was approved, and Fifth Third Bank sustained a loss of approximately \$585,066.

18 U.S.C. § 1014

COUNT 2

On or about June 14, 2004, in Muskegon County, in the Southern Division of the Western District of Michigan,


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knowingly made a false statement or report, and willfully overvalued land, property, or security, for the purpose of influencing the action of Fifth Third Bank, an institution whose accounts are insured by the Federal Deposit Insurance Corporation, upon an application for a commercial mortgage loan to Vertex Investments, LLC, in that he then and there submitted to Fifth Third Bank a misleading Request for Credit Commitment form, also known as a blue memo, recommending approval of a commercial mortgage in the amount of \$1,360,000 to Vertex Investments LLC ("Vertex"), which contained false and fraudulent attachments, including a carpentry proposal for building alterations which he altered from \$75,000 to \$475,000, a false and forged quit claim deed for \$434,749.61, a claim that \$100,000 of the loan would be secured by a Small Business Administration term loan, and two false and forged Small Business Administration Personal Financial Statements inflating the worth of the owners of Vertex. As a result of these false documents and statements, the loan was approved, and Fifth Third Bank sustained a loss of approximately \$800,000.

18 U.S.C. § 1014

DONALD A. DAVIS  
United States Attorney

Dated: 4/27/10

  
DONALD DANIELS  
Assistant United States Attorney